

## § 412.30

(2) Will initiate and maintain liaison functions with regional States; and

(3) Will provide adequate facilities, equipment, and supplies.

(e) *Budget and cost effectiveness.* (5 points) The Secretary reviews each application to determine the extent to which—

(1) The budget is cost effective and adequate to support the project activities; and

(2) The budget contains costs that are reasonable in relation to the objectives of the project.

(f) *Evaluation plan.* (5 points) The Secretary reviews each application to determine the quality of the project's evaluation plan, including the extent to which the plan—

(1) Is clearly explained and is appropriate to the project; and

(2) Identifies expected outcomes of the services provided and how those services will be measured.

(Approved by the Office of Management and Budget under Control No. 1830-0013)

(Authority: 20 U.S.C. 2402(c))

### Subpart D—What Conditions Must Be Met After An Award?

#### § 412.30 What additional activities must be carried out by Curriculum Coordination Centers?

In carrying out the activities described in § 412.3, each CCC must perform the following activities:

(a) Assist States in the development, adaptation, adoption, dissemination, and use of curriculum materials and services and other information resulting from research and development activities carried out under the Act, including performing these activities during at least two regional meetings involving States served by the CCC. One of these regional meetings must be conducted jointly with the other five CCCs and their regional States at the meeting described in § 412.4(a)(6).

(b) Coordinate with other curriculum coordination centers funded under this part.

(c) Coordinate with the State salaried State liaison representative (SLR), who is appointed by the State director of vocational education. The SLR has primary responsibilities for li-

## 34 CFR Ch. IV (7-1-09 Edition)

aison activities within the States, including—

(1) Obtaining new curriculum and research and development materials for Network sharing;

(2) Informing localities and State agencies of Network services;

(3) Disseminating CCC related materials;

(4) Arranging for intrastate and interstate development and dissemination activities;

(5) Arranging for technical assistance and inservice training workshops;

(6) Participating in regional CCC meetings; and

(7) Fostering adoption and adaptations of materials available through the CCC.

(d) Maintain a lending library with a collection of vocational education curriculum, research, and development materials for use by the States served by the CCC.

(e) Each CCC must participate in the Council activities described in § 412.4.

(Authority: 20 U.S.C. 2402(c))

#### § 412.31 What existing dissemination systems must be used?

In carrying out its activities, each CCC must use existing dissemination systems, including the National Diffusion Network and the National Center or Centers for Research in Vocational Education, in order to ensure broad access at the State and local levels to the information being disseminated.

(Authority: 20 U.S.C. 2402(c))

### PART 413—NATIONAL CENTER OR CENTERS FOR RESEARCH IN VOCATIONAL EDUCATION

#### Subpart A—General

Sec.

413.1 What is the National Center or Centers for Research in Vocational Education?

413.2 Who is eligible to apply for the National Center or Centers?

413.3 What kinds of activities are carried out?

413.4 How does the Secretary designate a National Center or Centers?

413.5 What regulations apply?

413.6 What definitions apply?

#### Subpart B [Reserved]

**Subpart C—How Does the Secretary Make an Award?**

- 413.20 How does the Secretary evaluate an application?
- 413.21 What selection criteria does the Secretary use to evaluate an application proposing research and development activities?
- 413.22 What selection criteria does the Secretary use to evaluate an application proposing dissemination and training activities?

**Subpart D—What Conditions Must Be Met After an Award?**

- 413.30 What are the restrictions on the use of funds?
- 413.31 Must a National Center have a director?
- 413.32 What are the requirements for coordination?
- 413.33 What substantive studies must the National Center or Centers conduct and submit?
- 413.34 What activities must be performed during the final year of an award?

AUTHORITY: 20 U.S.C. 2404, unless otherwise noted.

SOURCE: 57 FR 36780, Aug. 14, 1992, unless otherwise noted.

**Subpart A—General**

**§413.1 What is the National Center or Centers for Research in Vocational Education?**

The Secretary supports the establishment of one or two National Centers for Research in Vocational Education (National Center) in the areas of—

- (a) Applied research and development; and
- (b) Dissemination and training.

(Authority: 20 U.S.C. 2404)

**§413.2 Who is eligible to apply for the National Center or Centers?**

An institution of higher education or consortium of institutions of higher education may apply to be a National Center under this part.

CROSS-REFERENCE: See 34 CFR 75.127 through 75.129, Group Applications.

(Authority: 20 U.S.C. 2404(a)(5))

**§413.3 What kinds of activities are carried out?**

The Secretary provides a grant or cooperative agreement to a National Cen-

ter or Centers that are designed to perform either one or both of the following activities:

(a) *Applied research and development activities.* (1) A major purpose of the National Center is to design and conduct research and development activities that are consistent with the purposes of the Act, including—

- (i) Longitudinal studies that extend over a period of years;
- (ii) Supplementary and short-term activities; and

- (iii) Upon negotiation with the center, and if funds are provided pursuant to section 404(d) of the Act, such other topics as the Secretary may designate.

(2) The National Center shall conduct applied research and development activities that include examination of the following:

- (i) Economic changes that affect the skills that employers seek and entrepreneurs need.
- (ii) Integration of academic and vocational education.
- (iii) Efficient and effective practices for addressing the needs of special populations.

- (iv) Efficient and effective methods for delivering vocational education.

- (v) Articulation of school and college instruction with high quality work experience.

- (vi) Recruitment, education, and enhancement of vocational teachers and other professionals in the field.

- (vii) Accountability processes in vocational education, including identification and evaluation of the use of appropriate performance standards for student, program, and State-level outcomes.

- (viii) Effective practices that educate students in all aspects of the industry the students are preparing to enter.

- (ix) Effective methods for identifying and inculcating literacy and other communication skills essential for effective job preparation and job performance.

- (x) Identification of strategic, high priority occupational skills and skills formation approaches needed to maintain the competitiveness of the United States workforce, sustain high-wage, high-technology jobs, and address national priorities such as technical jobs

#### §413.4

#### 34 CFR Ch. IV (7–1–09 Edition)

needed to protect and restore the environment.

(xi) Identification of practices and strategies that address entrepreneurial development for minority-owned enterprises.

(3) The applied research and development activities must include—

(i) An emphasis on the recruitment, education, and enhancement of minority and female vocational teachers and professionals; and

(ii) Activities that aid in the development of minorities and women for leadership roles in vocational education.

(b) *Dissemination and training activities.* (1) A major purpose of the National Center is to design and conduct dissemination and training activities that are consistent with the purposes of the Act, including—

(i) The broad dissemination of the results of the research and development conducted by the National Center;

(ii) The development and utilization of a national level dissemination network including functions such as clearinghouses, databases, and telecommunications;

(iii) Planning, developing, and conducting training activities; and

(iv) Upon negotiation with the Center and if funds are provided pursuant to section 404(d) of the Act, such other topics as the Secretary may designate.

(2) The National Center shall conduct dissemination and training activities that include the following:

(i) Teacher and administrator training and leadership development.

(ii) Technical assistance to ensure that programs serving special populations are effective in delivering well-integrated and appropriately articulated vocational and academic offerings for secondary, postsecondary, and adult students.

(iii) Needs assessment, design, and implementation of new and revised programs with related curriculum materials to facilitate vocational-academic integration.

(iv) Evaluation and follow-through to maintain and extend quality programs.

(v) Assistance in technology transfer and articulation of program offerings from advanced technology centers to minority enterprises.

(vi) Assistance to programs and States on the use of accountability indicators, including appropriate and innovative performance standards.

(vii) Delivery of information and services using advanced technology, if appropriate, to increase the effectiveness and efficiency of knowledge transfer.

(viii) Development of processes for synthesis of research, in cooperation with a broad array of users, including vocational and non-vocational educators, employers and labor organizations.

(ix) Dissemination of exemplary curriculum and instructional materials, and development and publication of curriculum materials (in conjunction with vocational and nonvocational constituency groups, if appropriate).

(x) Technical assistance in recruiting, hiring, and advancing minorities in vocational education.

(3) The training and leadership development activities must include an emphasis on—

(i) Training minority and female teachers; and

(ii) Programs and activities that aid in the development of minorities and women for leadership roles in vocational education.

(4) Advanced technology may include audio-video cassettes, electronic networking, satellite-assisted programming, computer-based conferencing, and interactive video.

(Authority: 20 U.S.C. 2404 (b) and (c); House Report No. 101-660, 101st Cong. 2nd Sess. p. 143 (1990))

#### §413.4 How does the Secretary designate a National Center or Centers?

(a) The Secretary designates a National Center or Centers once every five years.

(b) In designating the National Center or Centers for Research in Vocational Education, the Secretary may support—

(1) One National Center that conducts both research and development activities and dissemination and training activities; or

(2) Two National Centers: one that conducts research and development activities and one that conducts dissemination and training activities.

(Authority: 20 U.S.C. 2404)

**§ 413.5 What regulations apply?**

The following regulations apply to the National Center or Centers:

- (a) The regulations in this part 413.
- (b) The regulations in 34 CFR part 400.

(Authority: 20 U.S.C. 2404)

**§ 413.6 What definitions apply?**

The definitions in 34 CFR 400.4 apply to this part, except that the term “institution of higher education” has the same meaning as provided in 34 CFR 403.117(b).

(Authority: 20 U.S.C. 1085(b) and 2404)

**Subpart B [Reserved]**

**Subpart C—How Does the Secretary Make an Award?**

**§ 413.20 How does the Secretary evaluate an application?**

(a) The Secretary evaluates an application on the basis of the criteria in §§ 413.21 and 413.22.

(b) The Secretary may award up to 100 points to each set of criteria in §§ 413.21 and 413.22, including a reserved 10 points for each set of criteria to be distributed in accordance with paragraph (d) of this section.

(c) Subject to paragraph (d) of this section, the maximum possible score for each criterion is indicated in parentheses after the heading for each criterion.

(d) For each competition as announced through a notice published in the FEDERAL REGISTER, the Secretary may assign the reserved points among the criteria in §§ 413.21 and 413.22.

(e) The Secretary may hold two separate competitions, with the same closing date, for the National Center or Centers. One competition will be held for research and development activities and the second competition will be held for dissemination and training activities. An institution of higher education or consortium of higher edu-

cation institutions may submit a research and development application; a dissemination and training application; or both as separate applications under separate covers.

(f) The Secretary evaluates applications for the research and development center and the dissemination and training center independently against the criteria in §§ 413.21 and 413.22 whether an institution or consortium of institutions is competing for either or both sets of activities.

(g) In accordance with section 404(a)(5) of the Act, the Secretary will give preference in grant selection to institutions or consortia of institutions that demonstrate the ability to carry out both the research and development and the dissemination and training activities effectively, either directly or by contract.

(h) An institution or consortium of institutions that has submitted two applications and applied for a single grant for the purpose of carrying out both activities and that has earned 80 points or higher on each of its two applications, will be deemed by the Secretary to have demonstrated the ability to carry out both activities effectively.

(i) The Secretary will award a single grant to an institution or consortium of institutions that has both—

(1) Demonstrated the ability to carry out both program activities effectively, in accordance with paragraph (h) of this section; and

(2) Earned the highest combined score among those institutions or consortia of institutions that have demonstrated the ability to carry out both activities effectively.

(j) If no institution or consortium of institutions is selected for a single grant award, the institution or consortia of institutions ranking highest in each of the two competitions will each receive a grant award.

(Authority: 20 U.S.C. 2404)

**§ 413.21 What selection criteria does the Secretary use to evaluate an application proposing research and development activities?**

The Secretary uses the following selection criteria in evaluating each research and development application:

## § 413.21

## 34 CFR Ch. IV (7–1–09 Edition)

(a) *Program factors.* (20 points) The Secretary reviews each application to determine the extent to which each of the required research and development activities described in § 413.3(a)(2) will be of high quality and effective.

(b) *Plan of operation.* (35 points) The Secretary reviews each application to determine the quality of the plan of operation for the proposed center, including—

(1) The applicant's plan for managing the National Center;

(2) The procedures the applicant will use to implement the National Center particularly with regard to the public or private nonprofit institution of higher education with which it is associated and, in the case of a consortium, with the other member institutions of the consortium;

(3) The applicant's plan for managing the National Center's activities and personnel, including—

(i) Quality control procedures for its activities;

(ii) Procedures for assuring compliance with timelines;

(iii) Coordination procedures for communicating among staff, subcontractors, members of the consortium, if any, and the Department of Education;

(iv) Procedures for ensuring that adequate progress is being made toward achieving the goals of the grantee by subcontractors, and members of a consortium; and

(v) Procedures for ensuring that adequate budget, accounting, and record-keeping procedures will be used;

(4) The quality of the applicant's detailed plans for year one of the National Center, including—

(i) Methodology and plan of operation;

(ii) Tasks and timelines;

(iii) Deliverables; and

(iv) Dissemination plans for each project; and

(5) The quality of the applicant's general plans for developing appropriate, coherent, and effective vocational education research and development activities, or dissemination and training activities, or both, for years two through five.

(c) *Key personnel.* (10 points) The Secretary reviews each application to de-

termine the qualifications of the key personnel the applicant plans to use for the National Center, including—

(1) The extent to which the Director of the National Center has—

(i) Appropriate professional qualifications, relevant project management experience, and administrative skills;

(ii) A commitment to work full-time at the National Center;

(iii) A clear commitment to the goals of the project; and

(iv) Sufficient authority to effectively manage the activities of the National Center;

(2) How the applicant, as part of its nondiscriminatory employment practices, will ensure that its personnel are selected for employment without regard to race, color, national origin, gender, age, or disability; and

(3) The extent to which other key personnel to be used for the National Center—

(i) Have experience and training in project management and in fields related to the proposed activities they will be carrying out; and

(ii) Will commit sufficient time to the project.

(d) *Vocational education experience.* (10 points) The Secretary reviews each application to determine the extent to which the applicant understands the state of knowledge and practice related to vocational education, including—

(1) The applicant's experience in conducting applied research and development activities, dissemination and training activities, or both, in the field of vocational education of the type described in § 413.3;

(2) The applicant's capacity for conducting applied research and development activities, dissemination and training activities, or both, in the field of vocational education of the type described in § 413.3; and

(3) How the activities of the National Center will contribute to the advancement of relevant theory and practice in vocational education.

(e) *Budget and cost effectiveness.* (10 points) The Secretary reviews each application to determine the extent to which—

(1) The Center has an adequate budget that is cost effective;

(2) The budget is adequate to support the Center's activities; and

(3) Costs are reasonable in relation to the objectives of the Center.

(f) *Coordination activities.* (5 points) The Secretary reviews each application to determine the extent to which there is an effective plan for the coordination of activities described in § 413.3 (a) and (b), and whether these activities are carried out between two institutions or within one institution.

(Approved by the Office of Management and Budget under Control No. 1830-0013)

(Authority: 20 U.S.C. 2404)

**§ 413.22 What selection criteria does the Secretary use to evaluate an application proposing dissemination and training activities?**

The Secretary uses the following selection criteria in evaluating each dissemination and training application:

(a) *Program factors.* (20 points) The Secretary reviews each application to determine the extent to which each of the required dissemination and training activities, described in § 413.3(b), will be of high quality and effective.

(b) The selection criteria and points in § 413.21 (b), (c), (d), (e), and (f).

(Approved by the Office of Management and Budget under Control No. 1830-0013)

(Authority: 20 U.S.C. 2404)

**Subpart D—What Conditions Must Be Met After an Award?**

**§ 413.30 What are the restrictions on the use of funds?**

(a) A National Center that performs both research and development activities and dissemination and training activities shall use at least two-thirds of its award for applied research and development.

(b) Not more than 10 percent of each year's budget for a National Center may be used to respond to field-initiated needs unanticipated prior to the annual funding period and that are in the mission of the National Center, but not part of the scope of work of the grant or cooperative agreement.

(Authority: 20 U.S.C. 2404(a)(3) and (b))

**§ 413.31 Must a National Center have a director?**

A National Center must have a full-time director who is appointed by the institution serving as the grantee.

(Authority: 20 U.S.C. 2404)

**§ 413.32 What are the requirements for coordination?**

If the Secretary designates two National Centers, the two centers must coordinate their activities.

(Authority: 20 U.S.C. 2404)

**§ 413.33 What substantive studies must the National Center or Centers conduct and submit?**

(a) The National Center conducting research and development activities shall annually prepare a study on the research conducted on approaches that lead to effective articulation for the education-to-work transition, including tech-prep programs, cooperative education or other work-based programs, such as innovative apprenticeship or mentoring approaches.

(b) The National Center conducting dissemination and training activities shall annually prepare a study of its dissemination and training activities.

(c) Annual studies described in paragraphs (a) and (b) of this section must be submitted to the Secretary of Education, the Secretary of Labor, the Secretary of Health and Human Services, the Committee on Labor and Human Resources of the Senate, and the Committee on Education and Labor of the House of Representatives.

(Authority: 20 U.S.C. 2404 (b)(2) and (c)(2))

**§ 413.34 What activities must be performed during the final year of an award?**

During the fifth year of the award cycle, the National Center or Centers shall develop and remain prepared to implement a contingency plan for completing all substantive work by the end of the eleventh month of that year and transferring all projects, services, and activities to a successor during the twelfth month of that year.

(Approved by the Office of Management and Budget under Control No. 1830-0013)

(Authority: 20 U.S.C. 2404)

## **PART 415—DEMONSTRATION CENTERS FOR THE TRAINING OF DISLOCATED WORKERS PROGRAM**

### **Subpart A—General**

Sec.

415.1 What is the Demonstration Centers for the Training of Dislocated Workers Program?

415.2 Who is eligible for an award?

415.3 What activities may the Secretary fund?

415.4 What regulations apply?

415.5 What definitions apply?

### **Subpart B [Reserved]**

### **Subpart C—How Does the Secretary Make an Award?**

415.20 How does the Secretary evaluate an application?

415.21 What selection criteria does the Secretary use?

415.22 What additional factors may the Secretary consider?

### **Subpart D—What Conditions Must Be Met After an Award?**

415.30 What are the evaluation requirements?

AUTHORITY: 20 U.S.C. 2413, unless otherwise noted.

SOURCE: 57 FR 36784, Aug. 14, 1992, unless otherwise noted.

### **Subpart A—General**

#### **§ 415.1 What is the Demonstration Centers for the Training of Dislocated Workers Program?**

The Demonstration Centers for the Training of Dislocated Workers Program provides financial assistance for establishing one or more demonstration centers for the retraining of dislocated workers.

(Authority: 20 U.S.C. 2413(a))

#### **§ 415.2 Who is eligible for an award?**

A private nonprofit organization that is eligible to receive funding under title III of the Job Training Partnership Act (29 U.S.C. 1651 *et seq.*) is eligible to receive an award under this program.

(Authority: 20 U.S.C. 2413(d))

#### **§ 415.3 What activities may the Secretary fund?**

(a) The Secretary provides grants or cooperative agreements for one or more centers that demonstrate the retraining of dislocated workers.

(b) Each center funded by the Secretary must be designed and operated to provide for the use of appropriate existing Federal, State, and local programs and resources.

(c) Each center may use funds to provide for—

(1) The recruitment of unemployed workers;

(2) Vocational evaluation;

(3) Assessment and counseling services;

(4) Vocational and technical training;

(5) Support services; or

(6) Job placement assistance.

(Authority: 20 U.S.C. 2413(a))

#### **§ 415.4 What regulations apply?**

The following regulations apply to the Demonstration Centers for the Training of Dislocated Workers Program:

(a) The regulations in this part 415.

(b) The regulations in 34 CFR part 400.

(Authority: 20 U.S.C. 2413)

#### **§ 415.5 What definitions apply?**

The definitions in 34 CFR 400.4 apply to this part.

(Authority: 20 U.S.C. 2413)

### **Subpart B [Reserved]**

### **Subpart C—How Does the Secretary Make an Award?**

#### **§ 415.20 How does the Secretary evaluate an application?**

(a) The Secretary evaluates an application on the basis of the criteria in § 415.21.

(b) The Secretary may award up to 100 points, including a reserved 15 points to be distributed in accordance with paragraph (d) of this section, based on the criteria in § 415.21.

(c) Subject to paragraph (d) of this section, the maximum possible score